

3673. Adulteration of canned beans. U. S. v. 21 Cases * * * Canned Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5809. I. S. No. 25912-h. S. No. E-70.)

On July 10, 1914, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a District Court, a libel for the seizure and condemnation of 21 cases, each containing 2 dozen cans of beans, remaining unsold in the original unbroken packages at Washington, D. C., alleging that the product had been transported from the State of Maryland into the District of Columbia, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "J. Ludington & Co. 2 doz. No. 3 Athletic Brand Beans With Sauce Baltimore, Md. U. S. A." The cans were labeled: "Athletic Brand Beans With Sauce Athletic Brand Beans With Sauce Contents 2 Lbs., 2 Oz., or over. This brand controlled and packed by J. Ludington & Co., Baltimore, Md."

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance, and for the further reason that it was mixed, packed, colored, and stained in a manner whereby damage and inferiority were concealed, and therefore adulterated.

On November 20, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *March 12, 1915.*